



REQUEST
FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See the American Inventors Protection Act of 1999 (AIPA).

Application Number 09/942,024
Filing Date August 28, 2001
First Named Inventor STEWARD et al.
Group Art Unit 1645
Examiner Name K. Shahnan
Attorney Docket Number 066872-0017

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

NOTE: 37 C.F.R. § is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 7/19/04
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other – Petition For Extension of Time (one-month)

2. Miscellaneous

- a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 502624.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$770.00
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) \$110.00
- iii. ☐ Other (additional claims, etc.) 08/09/2004 AWONDAF1 00000020 502624 09942024
- b. ☐ Check in the amount of \$____ enclosed 01 FC:1801 770.00 DA
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|--------------------------|-----------------------------------|----------------|
| Name (Print/Type) | Andrea L. Gashler | Registration No. (Attorney/Agent) | 41,029 |
| Signature | <i>Andrea L. Gashler</i> | Date | August 4, 2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR § 1.10)

"Express Mail" Mailing Label Number EV 540268071 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Aug 4, 2004.

| | | | |
|-------------------|---------------------------|------|----------------|
| Name (Print/Type) | Jose R. Lopez, Jr. | Date | August 4, 2004 |
| Signature | <i>Jose R. Lopez, Jr.</i> | | |